



DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219-0025]

Proposed Extension of Information Collection: Applications For Permits to Fire More than 20 Boreholes and For Use of Non-permissible Blasting Units, Explosives, and Shot-firing Units; and Posting Notices of Misfires

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments on the information collection for Applications For Permits to Fire More than 20 Boreholes and For Use of Non-permissible Blasting Units, Explosives, and Shot-firing Units; and Posting Notices of Misfires.

DATES: All comments must be received on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below.

- Federal E-Rulemaking Portal: <http://www.regulations.gov>. Follow the on-line instructions for submitting comments for docket number MSHA-2022-0035.
- Mail/Hand Delivery: Mail or visit DOL-MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, VA 22202-5452. Before visiting MSHA in person, call 202-693-9455 to make an appointment, in keeping with the Department of Labor's COVID-19 policy. Special health precautions may be required.
- MSHA will post your comment as well as any attachments, except for information submitted and marked as confidential, in the docket at <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances, MSHA, at MSHA.information.collections@dol.gov (email); (202) 693-9440 (voice); or (202) 693-9441 (facsimile).

SUPPLEMENTARY INFORMATION:

I. Background

Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 813(h), authorizes MSHA to collect information necessary to carry out its duty in protecting the safety and health of miners. Further, section 101(a) of the Mine Act, 30 U.S.C. 811, authorizes the Secretary of Labor (Secretary) to develop, promulgate, and revise as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal and metal and nonmetal mines.

Under Section 313 of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. Section 873, any explosives used in underground coal mines must be permissible. The Mine Act also provides that, under safeguards prescribed by the Secretary, the firing of more than 20 shots and the use of non-permissible explosives in sinking shafts and slopes from the surface in rock may be permitted. 30 CFR 75.1321 outlines the procedures by which a permit may be issued for the firing of more than 20 boreholes and for the use of non-permissible shot-firing units in underground coal mines. At surface coal mines and surface work areas of underground coal mines, 30 CFR 77.1909-1 outlines the procedures by which a coal mine operator may apply for a permit to use non-permissible explosives and/or shot-firing units in the blasting of rock during the development of shafts or slopes. Additionally, in the event of a misfire of explosives, 30 CFR 75.1327 requires that a qualified person post

a warning to prohibit entry at each accessible entrance to the affected area.

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed information collection related to Applications For Permits to Fire More than 20 Boreholes and For Use of Non-permissible Blasting Units, Explosives, and Shot-firing Units; and Posting Notices of Misfires. MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

The information collection request will be available on <http://www.regulations.gov>. MSHA cautions the commenter against providing any information in the submission that should not be

publicly disclosed. Full comments, including personal information provided, will be made available on www.regulations.gov and www.reginfo.gov.

The public may also examine publicly available documents at DOL-Mine Safety and Health Administration, 201 12th South, Suite 4E401, Arlington, VA 22202-5452. Sign in at the receptionist's desk on the 4th floor via the East elevator. Before visiting MSHA in person, call 202-693-9455 to make an appointment, in keeping with the Department of Labor's COVID-19 policy. Special health precautions may be required.

Questions about the information collection requirements may be directed to the person listed in the FOR FURTHER INFORMATION section of this notice.

III. Current Actions

This request for collection of information contains provisions for Applications For Permits to Fire More than 20 Boreholes and For Use of Non-permissible Blasting Units, Explosives, and Shot-firing Units; and Posting Notices of Misfires. MSHA has updated the data with respect to the number of respondents, responses, burden hours, and burden costs supporting this information collection request.

Type of Review: Extension, without change, of a currently approved collection

Agency: Mine Safety and Health Administration

OMB Number: 1219-0025

Affected Public: Business or other for-profit

Number of Respondents: 41

Frequency: On occasion

Number of Responses: 42

Annual Burden Hours: 41 hours

Annual Respondent or Recordkeeper Cost: \$150

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Song-Ae Aromie Noe,
Certifying Officer.

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